

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Suits – Roads & Buildings Department – OA.No.6790/2009 filed by Sri I. Madhusudhana Rao, I/c.SE (R&B) retired – Implementation of orders of APAT – Further action dropped – Orders – Issued.

TRANSPORT, ROADS & BUILDINGS (VIG.I) DEPARTMENT

G.O.Rt.No. 504

Dated: 27.05.2010.

Read the following:-

- 1) G.O.Rt.No.531, TR&B Department, dated 28.04.2009.
- 2) OA No.6790/2009 filed by Sri I.Madhusudhana Rao, I/c.SE (R&B) retired.
- 3) From the APAT, orders, dated 21.10.2009 in OA No.6790/2009 filed Sri I. Madhusudhana Rao, I/c.SE (R&B), Retired.

O R D E R:-

The Government, in the G.O. first read above, after conducting a departmental enquiry and differing with the findings of the Enquiry Officer, issued orders imposing the punishment of 2% cut in pension for a period of one year on Sri I.Madhusudhana Rao, I/c.SE (R&B) now retired, on certain irregularities in purchasing sign/caution boards through tenders without giving vide publicity and dispatching tenders notices and supply orders given to non-existing firms without calling tenders.

- 2) Sri I.Madhusudhana Rao filed OA No.6790/2009 before the APAT and the Hon'ble APAT has allowed the OA and made an order, dated 21.10.09. The operative portion of order is as follows:-

" The Enquiry Officer found that the charges are not proved against the applicant and the Chief Engineer, R&B, stated in his letter dt.8.10.04 that the Charged Officer has not caused any financial loss to the Government. In spite of it, the Government disagreeing with the report of Enquiry Officer's report , issued the impugned memo imposing the punishment of 2% cut in pension for a period of one year. In these circumstances, though the Charged Officer stands on a better footing than the Engineers Narayana Reddy and Gangadharam, in whose cases, the Government issued G.O.Ms.No.179 and G.O.Ms.No.834, though the charges are proved partly at the time of enquiry, dropping further action and a different attitude was adopted in the case of the applicant though the allegations are same and the Enquiry Officer found him not guilty. More over, the Government deferred with the enquiry Officers report, though no fresh material was placed before it other than the material available before the Enquiry Officer.

In these circumstances, as the Enquiry Officer found the applicant not guilty of any charges, discrimination was shown towards the applicant by the respondents imposing the punishment. Therefore, the impugned orders in G.O.Rt.No.531, dt.28.04.09 are liable to be set aside and accordingly, they are set aside. The Respondents are directed to release the full pension of the applicant within a

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period of four weeks from the date of receipt of this order.
The OA is disposed of accordingly.”

- 3) Keeping in view of the orders of Hon’ble APAT, Government have decided to implement the orders of APAT in OA No.6790/2009 dated 21.10.2009.
- 4) Accordingly, Government hereby cancel the orders issued in G.O.Rt.No.531, Transport, Roads & Buildings (Vig.I.2) Department, dated 28.04.2009 and further action against Sri I.Madhusudhana Rao, I/c.Superintending Engineer (R&B) now retired is dropped.
- 5) The Engineer-in-Chief (R&B) Admn., shall take necessary action in the matter accordingly.

D.LAKSHMI PARTHASARATHY
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri I.Madhusudhana Rao, I/c.SE (R&B) retired.
(Through ENC (R&B), Admn., Hyderabad.
The Engineer-in-Chief (R&B) Admn., Hyderabad.
Copy to
The General Administration (V&E) Department,
BRKR Bhavan, Hyderabad.
The Secretary to VC, APVC, Hyderabad.
The Account General (Pension.I), AP, Hyderabad.
Sf/Sc

//FORWARDED :: BY ORDER//

SECTION OFFICER